

AMENDED IN SENATE JUNE 16, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 559

Introduced by Assembly Member Lopez

February 23, 2015

An act to add Section 1021 to the Fish and Game Code, relating to monarch butterflies.

LEGISLATIVE COUNSEL’S DIGEST

AB 559, as amended, Lopez. Monarch butterflies: conservation.

Existing law establishes the Department of Fish and Wildlife and sets forth the duties of that department, which include administering various programs for the protection and conservation of fish and wildlife resources.

This bill would authorize the department to take actions to conserve monarch butterflies and the unique habitats they depend upon for successful migration. The bill would authorize the department to partner with federal agencies, nonprofit organizations, academic programs, private landowners, and other entities that undertake actions to conserve monarch butterflies and aid their successful migration, including the Monarch Joint Venture. *The bill would require the department, when undertaking actions to conserve monarch butterflies and their habitats, to use the best available science and consider taking specified actions.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. The Legislature hereby finds and declares the*
2 *following:*

3 *(a) Monarch butterflies are a favorite butterfly of people*
4 *throughout North America and concern for their survival brings*
5 *people together like few other wildlife species such that, in*
6 *February 2014, the United States, Mexico, and Canada joined*
7 *efforts to ensure monarch butterfly recovery.*

8 *(b) Monarch butterfly populations have declined significantly*
9 *in the past 20 years to where the eastern population has lost 90*
10 *percent of historical numbers and the western population has*
11 *shrunk to 50 percent of historical numbers. California is the only*
12 *state to host significant numbers of overwintering monarch*
13 *butterflies.*

14 *(c) While adult butterflies may obtain nectar from many different*
15 *plants, monarch caterpillars can only survive when native*
16 *milkweed plants are available for food. Of the 72 native milkweed*
17 *species in the United States, several exist in California, including*
18 *six that are endemic.*

19 *(d) Milkweed habitat and density have declined significantly in*
20 *the eastern United States, and it is suspected that they have also*
21 *declined in the West. This has negatively impacted monarch*
22 *butterflies as well as native bees, honey bees, and other beneficial*
23 *insects, including insect predators of crop pests.*

24 *(e) Since nearly one-third of the most promising California*
25 *winter habitat for monarch butterflies is on privately owned land,*
26 *collaboration with landowners is critical. Fortunately, many*
27 *landowners are some of the strongest advocates for protecting and*
28 *restoring overwintering and breeding habitat for the monarch*
29 *butterfly.*

30 *(f) Current environmental protection laws, including those*
31 *concerning conservation and land use planning, have not*
32 *adequately protected monarch butterflies, creating a need for*
33 *additional collaborative restoration measures.*

34 *(g) While several federal agencies, including the Natural*
35 *Resource Conservation Service, the Farm Service Agency, the*
36 *United States Forest Service, the United States Fish and Wildlife*
37 *Service, and the Federal Highway Administration, are undertaking*
38 *initiatives to protect and restore monarch butterflies, California*

1 *needs to take additional initiatives to guide and support monarch*
2 *butterfly conservation.*

3 *(h) Numerous public and private research entities and*
4 *nongovernmental organizations are undertaking research and*
5 *gathering information that could significantly contribute to*
6 *California's efforts to protect and conserve monarch butterflies.*

7 **SECTION 1.**

8 **SEC. 2.** Section 1021 is added to the Fish and Game Code, to
9 read:

10 1021. (a) The department may take actions to conserve
11 monarch butterflies and the unique habitats they depend upon for
12 successful migration. These actions may include, but are not limited
13 to, habitat restoration on department lands, education programs,
14 and voluntary agreements with private landowners.

15 (b) The department may partner with federal agencies, nonprofit
16 organizations, academic programs, private landowners, and other
17 entities that undertake actions to conserve monarch butterflies and
18 aid their successful migration, including the Monarch Joint
19 Venture.

20 (c) *When undertaking actions to conserve monarch butterflies*
21 *and their habitats pursuant to this section or other authority, the*
22 *department shall use the best available science and consider, as*
23 *appropriate, all of the following:*

24 (1) *Restoring or revegetating monarch caterpillar habitat using*
25 *regionally or locally appropriate native milkweed species.*

26 (2) *Restoring or revegetating adult monarch butterfly habitat*
27 *using regionally or locally appropriate native nectar plant species.*

28 (3) *Incorporating diverse tree species, structures, and*
29 *arrangements when restoring or establishing winter habitat sites*
30 *to match monarch butterfly preferences for temperature, light,*
31 *moisture, wind, and other microclimate characteristics.*

32 (4) *Controlling pests and disease in monarch butterfly habitat*
33 *using natural biological measures and alternative nonspray weed*
34 *management strategies.*

35 (5) *Increasing the number of partnerships and making the most*
36 *of partnerships to use residential and institutional landscaped*
37 *areas, agricultural noncropped lands, transportation corridors,*

- 1 *and conservation easements to create, restore, or enhance monarch*
- 2 *butterfly habitat.*

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